

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
AT NASHVILLE, TENNESSEE**

<b>ALLERGAN, INC. ET AL.</b>	)	
<b>Plaintiffs,</b>	)	
<b>vs.</b>	)	<b>Civil Action No.: 3:23-cv-00431</b>
	)	<b>Judge Richardson/Frensley</b>
<b>REVANCE THERAPEUTICS, INC.</b>	)	<b>Jury Demand</b>
<b>Defendant.</b>	)	

**ORDER**

The Court held a discovery dispute conference with the Parties on November 15, 2023, to discuss the matters set forth in the joint statement of issues (Docket No. 55), as well as the general status and progress of discovery in this matter.


For the reasons discussed at the conference based upon the Parties' joint statement and argument of counsel, the Plaintiffs' request as to the limits on hours for fact deposition discovery is **GRANTED IN PART**. The Court will extend the number of depositions for each side to 13. In the event the Parties believe more depositions are necessary, they should meet and confer in an attempt to seek an agreement and if they are unable to do so, may file an appropriate motion with the Court requesting additional relief.

The Plaintiffs' request that the Court order that the producing party should stipulate to a presumption of authenticity for electronic documents that it produces from its own servers or custodians is **DENIED**. The Parties are encouraged to discuss issues of authentication and attempt to reach an agreement at the earliest possible time. However, for the reasons discussed in the conference the Court denies the Plaintiffs request to modify the existing practice with regard to issues of authenticity.

The issue of whether Dwight Moxie should have access to Allergan documents marked as

“confidential information” and “highly confidential information” is **RESERVED**. The Defendant shall file a motion for protective order regarding this matter on or before **December 1, 2023**. Any response shall be filed by **December 15, 2023**. Any option reply shall be filed by **December 22, 2023**. The Court is familiar with the legal standard to address this issue and instructed the Parties with regard to the substance of their pleadings and the information the Court believes would be helpful in resolving this issue.

**IT IS SO ORDERED.**



**JEFFERY S. FRENSLEY**  
**United States Magistrate Judge**